

FILED '06 OCT 26 13:12 USDC-ORP

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CR No. 00-529-05-PA
)	CIV No. 04-225-PA
)	
v.)	
)	ORDER
ALFREDO GONZALEZ-RODRIGUEZ,)	
)	
Defendant.)	
_____)	

PANNER, J.

Defendant Alfredo Gonzalez-Rodriguez moves for relief from this court's order denying relief under 28 U.S.C. § 2255, and to file an amended motion. I grant the motion and allow defendant thirty days from the date of this order to file an amended motion for relief.

This court initially denied defendant's pro se motion under 28 U.S.C. § 2255. This court then appointed counsel to represent defendant. Appointed counsel reviewed the


defendant's file and seeks to file an amended motion raising different grounds for relief. Under these unusual circumstances, I conclude that defendant is entitled to relief from this court's previous order and should be allowed to file an amended motion for relief under 28 U.S.C. § 2255.

CONCLUSION

Defendant's motion for relief from order and to amend § 2255 motion (#226) is granted. This court's previous order (#220) is vacated. Defendant is to file an amended motion within thirty days from the date of this order.

IT IS SO ORDERED.

DATED this 26 day of October, 2006.


OWEN M. PANNER
United States District Judge